

Message Text

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ORIGIN EB-03

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ARA/EP - MR. PRINGLE

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FM SECSTATE WASHDC

TO AMEMBASSY LIMA IMMEDIATE

C O N F I D E N T I A L STATE 019996

LIMDIS

E.O. 11652: GDS

TAGS: EAIR, PE

SUBJECT: CIVAIR CONSULTATIONS

1. ACCORDING SOUTH, AEROPERU-BRANIFF DISCUSSIONS HAVE LED TO FOLLOWING TENTATIVE DEAL:

A. BRANIFF WOULD OPERATE PURSUANT TO PERMIT RESTRICTIONS DURING FEBRUARY.

B. BRANIFF WOULD RECEIVE NEW PERMIT EFFECTIVE MARCH 1 WHICH WOULD AUTHORIZE EXISTING 20 FLIGHTS, OF WHICH 14 OPERATE BEYOND LIMA. ONLY RESTRICTION WOULD BE SEVEN MIAMI FLIGHTS WITH AUTHORITY OPERATE MORE WITHOUT MIAMI-LIMA TRAFFIC RIGHTS. HOWEVER, IF AEROPERU BUYS SPACE ON ANY RESTRICTED BRANIFF FLIGHT, TRAFFIC RESTRICTION ON THAT FLIGHT WOULD BE REMOVED.

C. POSSIBILITY OF TWO MORE BRANIFF CALIFORNIA FLIGHTS (FOR TOTAL OF FIVE), ON WHICH AEROPERU WOULD BUY SPACE.

D. PERU GIVEN RIGHTS AT NEW YORK.

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E. PERU WOULD ANNOUNCE FINAL AGREEMENT AS VICTORY FOR PERU.

2. IF TWO AIRLINES CONFIRM AGREEMENT TO FOREGOING AT WORKING LEVEL, MATTER WOULD BE PUT TO AEROPERU BOARD

DIRECTORS WHICH WOULD FORMALLY MAKE PROPOSAL TO BRANIFF AS TAKE-IT-OR-LEAVE-IT PROPOSITION. IT WOULD BE SUBJECT APPROVAL GOVERNMENTS.

3. BRANIFF INCLINED ACCEPT DEAL. ALTHOUGH THERE ARE NUMBER OF LOOSE ENDS (SUCH AS TERM OF AGREEMENT) APPARENT ABSENCE ANY PROVISION FOR GUARANTEED FREQUENCY INCREASES, AND NO MENTION 20 PERCENT TAX), DEPARTMENT/CAB BELIEVE PROPOSAL IS WORTH PURSUING AND IS BETTER THAN ALTERNATIVE OF SUSPENSION SERVICES. WE HAVE ADVISED BRANIFF THAT FINAL AGREEMENT ON MATTER SHOULD BE BETWEEN GOVERNMENTS, NOT BETWEEN AIRLINES. FOR MOMENT, HOWEVER, WE HAVE NO OBJECTION AIRLINES PURSUING MATTER. AIRLINES DESIRE THERE BE NO PUBLICITY ON WHAT IS GOING ON.

4. IN MEANTIME, WE HAVE CONCURRED WITH BRANIFF THAT IT SHOULD PROCEED TO FILE ITS FEBRUARY 1 SCHEDULE. WE HAD SUGGESTED BRANIFF STATE THAT IT OPERATING PURSUANT TO CONDITIONS IN PERMIT TEMPORARILY BECAUSE USG DOES NOT WISH BRANIFF DISRUPT TRAVELING PUBLIC ANY MORE THAN NECESSARY. HOWEVER, BECAUSE BRANIFF CONCERNED THIS MIGHT SET OFF DGTA LAWYERS, WE HAVE CONCURRED THAT BRANIFF STATE IN ITS FILING THAT IT BEING MADE PURSUANT TO INTERGOVERNMENTAL TALKS. THIS, IT SEEMS TO US, ACCOMPLISHES SAME PURPOSE. KISSINGER

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